

MINUTE ITEM

10. APPLICATION OF THE CITY OF LONG BEACH FOR EXPENDITURE OF TIDELAND OIL REVENUES FOR IMPROVEMENT OF APPIAN WAY - L.B.W.O. 10,087.

Following presentation of Calendar Item 10, the Chairman reported that there had been numerous communications concerning the proposed construction of the Appian Way Bridge, and that the Commission was willing to listen to verbal presentations of those persons appearing in protest, provided that they were confined to matters within the scope of the Commission--namely, the legality of a portion of the proposed expenditure from tideland funds pursuant to Chapter 29, Statutes of 1956, 1st E.S. Presentations were made by:

Mr. John C. Trask, President of the Naples Improvement Association

Mr. Walter J. Gay, a local resident

Mr. J. K. Shallenberger, representing the Marina Improvement Association

Dr. Tom Kendig, a local citizen

Mr. James N. Gregory, appearing in pro per

The plea of all five speakers was essentially that they believed the bridge was unnecessary at this time. Mr. Herbert A. Buehler, President of the North Alamitos Bay Property Owners Association, said that the protestants had been unable to gain a hearing before the Long Beach City Council to voice their objections. He asked that the last sentence of the calendar item calling for the final audit to be based upon a traffic survey be deleted.

Both Mr. Carr and Mr. Cranston expressed their sympathy with the protestants. Mr. Hortig repeated that the Commission was constrained to consider the application to the extent that it involves the possible expenditure of tideland funds.

Mr. Howard Goldin of the Attorney General's office advised that the Commission should confine its consideration to the legality of a proposed expenditure from tideland trust funds, rather than substitute its discretion for that of a local governing body as to the desirability of a proposed project.

UPON MOTION MADE BY MR. CRANSTON, SECONDED BY MR. CARR, AND UNANIMOUSLY CARRIED, THE FOLLOWING RESOLUTION WAS ADOPTED:

THE COMMISSION APPROVES THE APPLICATION OF THE CITY OF LONG BEACH, PURSUANT TO THE AUTHORITY OF CHAPTER 29/56, 1ST E.S., TO EXPEND NOT MORE THAN \$190,600 FOR THE IMPROVEMENT OF APPIAN WAY AND THE CONSTRUCTION OF A BRIDGE OVER THE NORTH ARM OF ALAMITOS BAY IN THE CITY OF LONG BEACH, TO BE USED IN SUBSTANTIAL PART AS A MEANS OF INGRESS AND EGRESS TO THE LONG BEACH MARINA. FURTHER, THIS APPROVAL IS GIVEN UPON THE CONDITION THAT A FINAL AUDIT OF THE COSTS TO BE PAID FROM TIDELAND FUNDS WILL BE MADE UPON THE BASIS OF A TRAFFIC STUDY TO BE

CONDUCTED NO LATER THAN THREE YEARS AFTER COMPLETION OF THE PROPOSED IMPROVEMENTS, WHICH STUDY WILL SHOW THE PERCENTAGE OF ACTUAL USE AS A BASIS FOR DETERMINING FUTURE PROJECTED USE OF THE IMPROVEMENTS IN CONJUNCTION WITH OR INCIDENT TO THE LONG BEACH MARINA.

Attachment

Calendar Item 10 (3 pages)

CALENDAR ITEM

10.

APPLICATION OF THE CITY OF LONG BEACH FOR EXPENDITURE OF TIDELAND OIL REVENUES FOR IMPROVEMENT OF APPIAN WAY - L.B.W.O.-10,087.

On October 5, 1959, at the request of interested citizens from the City of Long Beach, the Commission deferred consideration of the application of the City of Long Beach for expenditure of tideland oil revenues for improvement of Appian Way, with the suggestion that differences be resolved at the local level prior to this meeting date.

Subsequent to the meeting, further requests were received from interested parties that they be heard in connection with this item at the October 29 meeting of the Commission.

The deferred calendar item is attached for Commission consideration.

Attachment

Calendar Item 10

CALENDAR ITEM

10.

APPLICATION OF THE CITY OF LONG BEACH FOR EXPENDITURE OF TIDELAND OIL REVENUES FOR IMPROVEMENT OF APPIAN WAY - L.B.W.O. 10,087.

On April 2, 1959, the City of Long Beach submitted a request for the expenditure of a portion of its share of the tideland oil revenues, pursuant to the authority of Chapter 29/56, 1st E.S., for the improvement of Appian Way and the construction of a bridge on Appian Way over the north arm of Alamitos Bay, at a cost of \$325,000.

The purpose of the proposed improvements is to be an ingress and egress route to the Long Beach Marina, as well as an accommodation of traffic, which has been re-routed by reason of the removal of the East Ocean Boulevard Bridge. The proposed improvements contemplate four 12-foot traffic lanes and two 8-foot parking lanes on Appian Way, for a total distance in excess of one mile. Also included in the proposed project is the construction of a bridge over the north arm of Alamitos Bay, permitting ingress and egress to and from the Long Beach Marina over Appian Way as improved. Cost breakdown of the project on the basis of plans and specifications is to be \$120,500 for widening and improving Appian Way, and approximately \$204,500 for construction of the bridge over Alamitos Bay.

The question of the legal propriety of the proposed expenditure was submitted to the office of the Attorney General for opinion. It is the opinion of the Attorney General's office that the proposed street improvement and bridge construction would have substantial use as an artery for non-Marina traffic between Long Beach and Orange County, while at the same time the facilities will be used to a substantial degree for ingress and egress to the Marina. Consequently, it would be proper for the City to expend its share of the tideland oil revenues for the proportionate share of the proposed improvements, which are necessitated by and would be incident to use of the Long Beach Marina.

Upon receipt of the opinion referred to above, the staff requested the City of Long Beach to submit reports necessary to determine the extent to which the proposed improvements will be used in conjunction with or incidental to the Marina. This study was undertaken by the City of Long Beach through its Traffic Engineering Division, and the result of that study was forwarded to the State Lands Division offices on August 18, 1959. The gist of the Long Beach study was that the projected Marina traffic will constitute 58.64 per cent of the average daily traffic using the proposed improvements.

The Long Beach study has been reviewed by the Civil Engineering staff of this Division. It was the opinion of the Civil Engineers that the scarcity of factual material was cause for many necessary assumptions in the study but that, in any event, the proportionate share of the use attributable to the Marina should not exceed 50 per cent. The staff recognizes the difficulty of anticipating the use of the proposed improvements prior to their completion, and also the fact that the traffic studies which have been conducted are necessarily based upon some arbitrary assumptions.

CALENDAR ITEM 10. (CONTD.)

IT IS RECOMMENDED THAT THE COMMISSION APPROVE THE APPLICATION OF THE CITY OF LONG BEACH, PURSUANT TO THE AUTHORITY OF CHAPTER 29/56, 1ST E.S.; TO EXPEND NOT MORE THAN \$190,600 FOR THE IMPROVEMENT OF APPIAN WAY AND THE CONSTRUCTION OF A BRIDGE OVER THE NORTH ARM OF ALAMITOS BAY IN THE CITY OF LONG BEACH, TO BE USED IN SUBSTANTIAL PART AS A MEANS OF INGRESS AND EGRESS TO THE LONG BEACH MARINA. IT IS FURTHER RECOMMENDED THAT THIS APPROVAL BE GIVEN UPON THE CONDITION THAT A FINAL AUDIT OF THE COSTS TO BE PAID FROM TIDELAND FUNDS WILL BE MADE UPON THE BASIS OF A TRAFFIC STUDY TO BE CONDUCTED NO LATER THAN THREE YEARS AFTER COMPLETION OF THE PROPOSED IMPROVEMENTS, WHICH STUDY WILL SHOW THE PERCENTAGE OF ACTUAL USE AS A BASIS FOR DETERMINING FUTURE PROJECTED USE OF THE IMPROVEMENTS IN CONJUNCTION WITH OR INCIDENT TO THE LONG BEACH MARINA.